

Remarks

Claims 26, 28, 31-46, 48 and 49 are in this application.

Claims 50-62 have been withdrawn.

The allowability of dependent claims 32 and 48 is acknowledged.

Reconsideration of the rejection of the claims is requested.

Claim 26 has been rejected as being unpatentable over Bodger in view of Igarashi.

Claim 26 requires, inter alia, "a bundle of pipes of electrically insulating material allowing for ballast water flow therethrough in parallel". The Examiner acknowledges that Bodger does not disclose a plurality of pipes. Further, Igarashi does not disclose a plurality of pipes. Accordingly, the proposed modification of Bodger with the teachings of Igarashi would not result in the claimed structure. For this reason alone, a rejection of claim 26 as being unpatentable over Bodger in view of Igarashi is not warranted pursuant to the provisions of 35 USC 103.

Further, Igarashi discloses a treatment apparatus employing a vessel 1 wherein a body of water is static. Bodger discloses a treatment apparatus employing a tube through which water is to flow. Thus, one of ordinary skill in the art would not be motivated by the teachings of Igarashi to modify the treatment apparatus of Bodger into a static treatment apparatus. For this additional reason, a rejection of claim 26 as being unpatentable over Bodger in view of Igarashi is not warranted pursuant to the provisions of 35 USC 103.

Still further, Bodger uses a voltage gradient to kill microorganisms whereas Igarashi employs AC voltage to separate minute particles contained in a liquid to

coagulation, separation, decomposition and sterilization. (col. 1, lines 8-11). Thus, one of ordinary skill in the art would not be motivated by the teachings of Igarashi to modify the treatment apparatus of Bodger to kill microorganisms. For this additional reason, a rejection of claim 26 as being unpatentable over Bodger in view of Igarashi is not warranted pursuant to the provisions of 35 USC 103.

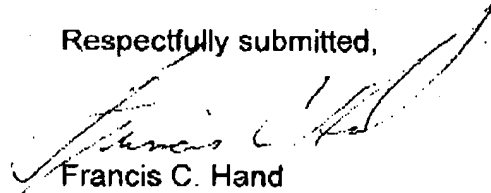
Claims 28 and 31 to 41 depend from claim 26 and are believed to be allowable for similar reasons.

Claim 42 contains recitation similar to claim 26 and is believed to be allowable for similar reasons.

Claims 43 to 46, 48 and 49 depend from claim 42 and are believed to be allowable for similar reasons.

The Application is believed to be in condition for allowance and such is respectfully requested.

Respectfully submitted,



Francis C. Hand
Reg. No. 22,280

CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO, P.C.
5 Becker Farm Road
Roseland, NJ 07068
Phone: 973-994-1700
Fax: 973-994-1700

#415231